

Remarks

Claims 1-20 were pending in the application. Claims 14 and 15 were rejected. Claims 6-8 were withdrawn. Claims 19 and 20 were merely objected to and claims 1-5, 9-13, and 16-18 were allowed. By the foregoing amendment, claims 6-8 and 15 are canceled, claims 14 and 19 are amended, and claim 21 is added. No new matter is presented.

Allowable Subject Matter

Applicants appreciate the indication of allowable subject matter in claims 1-5, 9-13, and 16-20.

Drawings

The drawings were objected to in that FIG. 5 was asserted as informal. Attached is a Replacement Sheet 5 with a formal FIG. 5.

Claim Rejections-35 U.S.C. 112

Claims 19 and 20 were rejected under 35 U.S.C. 112(2). Applicants respectfully traverse the rejections as to the amended claims.

By the foregoing amendment, claim 19 has been amended to delete the surplus word "second".

Claim Rejections-35 U.S.C. 102

Claims 14 and 15 were rejected as being anticipated by Bouiller et al. (US5934564). Applicants respectfully traverse the rejection.


Claim 15 has been rewritten in independent form as new claim 21. Claim 21 identifies a throat as being downstream of a hinge axis coupling the upstream flap to the downstream flap. The Bouiller et al. throat is clearly shown at S₁ in FIG. 2 whereas the hinge axis is shown by numeral 11 in FIG. 1. These are clearly at the same longitudinal upstream-to-downstream location. Thus, the throat is not downstream of the hinge axis as is claimed in claim 21. Furthermore, there is no suggestion for such a configuration.

Claim 14 identifies the linkage as coupled to the downstream flap along a forward half

thereof for actuating the upstream and downstream flaps between a plurality of throat area conditions. In Bouiller et al., the upstream flaps 8 have but a single degree of freedom (rotation about the pivot axis 9). Col. 3, second paragraph. Translating levers 17 are coupled directly to the upstream flaps 8 at pivots 19. With the throat at the junction of the upstream and downstream flaps, and the upstream flap having a single degree of freedom, the throat condition is entirely determined by the position/orientation of the levers 17 coupled to the upstream flap. For further clarification and in the interest of advancing examination, claim 14 has been amended to identify the linkage as coupled to the upstream flap only via the downstream flap. Support for this is seen, for example, in FIG. 1 of the present application and in paragraph 0004 which discusses redesigns from systems wherein there is actuator connection directly to the convergent flap or to the hinge point rather than to the divergent flap.

Accordingly, Applicants submit that claims 1-5, 9-14, and 16-21 are in condition for allowance. Please charge any fees or deficiency or credit any overpayment to our Deposit Account of record.

Respectfully submitted,

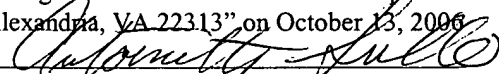
By 
William B. Slate
Attorney for Applicants
Reg. No.: 37,238

Telephone: 203-777-6628
Telefax: 203-865-0297

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Enclosure: Replacement Sheet 5

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: "Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313" on October 13, 2006.


Antoinette Suho

Amendments to the Drawing

Enclosed is replacement sheet 5 with a formal showing of FIG. 5.